



EXPEDITED PROCEDURE
EXAMINING GROUP 1211
PATENT
ROSE 3.0-036 CIP III

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

HIS
1-9-98
RP

In re patent application of :
Hiatt et al. :
Serial No. 08/486,913 : Group Art Unit: 1211
Filed: June 7, 1995 : Examiner: Louise Leary
For: 3' PROTECTED NUCLEOTIDES FOR ENZYME : Dated: December 23, 1997
CATALYZED TEMPLATE-INDEPENDENT
CREATION OF PHOSPHODIESTER BONDS

BOX AF
Assistant Commissioner For Patents
Washington, D.C. 20231

X
JAN 5 1998

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed June 23, 1997, finally rejecting Claim 1.

Appeal Fee - \$155.00

- Not required (fee paid in prior appeal in this application).
- Charge to Deposit Account No. 12-1095 (one additional copy of this Notice is enclosed herewith).
- A Verified Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 has been filed.
- A Verified Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- Please charge any additional fees or credit over-payment to Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed.

LERNER, DAVID, LITTBENBERG,
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SB (NOTAPS) 125378.DOC

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on December 23, 1997.

(Date of Deposit)

Signature:

PETER J. BUTCH III

(Typed or Printed Name of Person Signing Certificate)